

Supreme Court of the United States

No.

04-6587

RECEIVED

MAR 01 2005

GREGORY GALLATIN,

Petitioner

LEONARD GREEN, Clerk

v.

UNITED STATES

FILED

MAR 18 2005

ON PETITION FOR WRIT OF CERTIORARI to the United States Court

of Appeals for the Sixth Circuit.

THIS CAUSE having been submitted on the petition for a writ of certiorari and the response thereto.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment of the above court is vacated, and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Booker v. United States*, 543 U.S. \_\_\_\_ (2005).

January 24, 2005

A True copy WILLIAM K. SUTER

Test:

Clerk of the Supreme Court of the United States

By

Deputy